

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**MULTI-VET LTD.,**

**Plaintiff and  
Counterclaim Defendant,**

V.

**PREMIER PET PRODUCTS, INC.,**

**Defendant and Counterclaim Plaintiff.**

**Civil Action No. 08-cv-03251 (LMM)**

**Supplemental Declaration of Holly Graham in  
Support of Defendant's Motion for a Preliminary  
Injunction**

I, Holly Graham, do hereby state as follows:

1. My name is Holly Graham. I am a customer service representative at Premier Pet Products, LLC (“Premier”). I have personal knowledge of the facts stated in this declaration, and if called upon, could so testify.

2. I submit this supplemental declaration in support of Premier's motion for a preliminary injunction to prohibit any further sales by Plaintiff and Counterclaim Defendant Multi-Vet Ltd. ("Multi-Vet") of its "Gentle Spray" anti-bark collar in the United States filed on June 13, 2008.

3. On July 28, 2008, I received a call from a consumer, Mrs. Lombardi, who received two defective anti-bark collars. The Mrs. Lombardi's son, Scott, ordered the collars from [www.entirelypets.com](http://www.entirelypets.com) on July 12, 2008. After discovering that the anti-bark collars were defective, Mrs. Lombardi contacted [www.entirelypets.com](http://www.entirelypets.com). Mrs. Lombardi

was advised to call Premier Pet Products.

4. When I spoke to Mrs. Lombardi, I asked her various questions about the collars. After a brief discussion, I realized that Mrs. Lombardi had not purchased Premier collars but had instead purchased Multi-Vet collars. Mrs. Lombardi confirmed that the packaging featured the head of a golden retriever and that it had the Multi-Vet name.

5. Mrs. Lombardi then faxed me a copy of her invoice for the collars. A true and correct copy of that invoice is attached as **Exhibit A**. This invoice, received by the Lombardis, from [entirelypets.com](http://entirelypets.com) describes the Multi-Vet product sold as a "Premier Gentle Spray Anti-Bark Dog Collar."

I declare under the penalty of perjury that the foregoing is true and correct.

7/31/08

Date

  
Holly Graham

Received Time Jul. 28, 2008 11:54AM No. 1372



**EntirelyPets.com™**

43450 minwood street  
Fremont, CA 94538

Email: Sales@entirelypets.com  
Phone: (800) 889-8967

**SHIP TO:**

Scott Lombardi  
35 Grand Bay Cir  
Juno Beach, FL 33408-2162  
USA

**SOLD TO:**

Scott Lombardi  
35 Grand Bay Cir  
Juno Beach, FL 33408-2162  
USA

**Order Number:**

105-41837-5220260

**Batch:**

H1836.txt

**Shipment Number:**

1717452-1

**Date:**

12-Jul-2008

**Keycode:**

AMSELLERCENTRAL

**#8**

Qty	Ship Qty	Status	Product Code	Pick Location	Description	Unit Price	Total
✓ 2	2	OK	CITROCOLLAR	3A-2A-1	Premier Gentle Spray Antri-Bark Dog Collar	32.99	65.98
<div> <div>Thank you for your Order!</div> <div> Status Codes:  OK = In this shipment  P/S = Previously shipped  N/S = Not yet shipped  B/O = Back-ordered  C/L = Cancelled </div> </div>							
						NET ORDER:	65.98
						TAX:	0.00
						SHIPPING:	5.95
						ORDER TOTAL:	71.93

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Shipping Method: Ground 4-7 day (\$5.95)

Instructions:

Gift Message :

561-630-9493

F

**Exhibit A**



1-888-616-8244  
Parade